

IN THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Claim 1 (currently amended): A method for treating a fertilized egg of a bird, comprising injecting, into ~~the~~ a fertilized egg after start of incubation, a solution ~~containing~~ comprising amino acids which determine the nutritive value of proteins in ~~the~~ said fertilized egg.

Claim 2 (currently amended): The method according to claim 1, wherein ~~the~~ said fertilized egg is a chicken egg on days 13 to 19 of ~~the~~ incubation.

Claim 3 (currently amended): The method according to claim 1, wherein ~~the~~ said fertilized egg is a chicken egg on days 13 to 14 of ~~the~~ incubation.

Claim 4 (currently amended): The method according to any one of claims 1 to 3, wherein ~~the~~ said solution ~~containing~~ comprising amino acids is a mixed solution of amino acids having a composition which is almost the same as the amino acid composition in ~~the~~ said fertilized egg before the start of incubation.

Claim 5 (currently amended): The method according to any one of ~~claims 1 to 4~~ claims 1 to 3, wherein ~~the~~ said solution ~~containing~~ comprising amino acids ~~contains~~ further comprises at least one ingredient selected from the group consisting of an antioxidant, a nutritional supplement other than said amino acids, and/or a vaccine, and mixtures thereof.

Claim 6 (currently amended): A method for hatching a fertilized egg of a bird, comprising hatching ~~the~~ a fertilized egg after start of incubation treated according to the method of any one of ~~claims 1 to 5~~ claims 1 to 3.

Claim 7 (currently amended): A method for increasing the body weight of a chick at hatch, comprising injecting, into a fertilized egg after start of incubation, a solution ~~containing~~ comprising amino acids which determine the nutritive value of proteins in ~~the~~ said fertilized egg.

Claim 8 (currently amended): The method according to claim 7, wherein ~~the~~ said fertilized egg is a chicken egg on days 13 to 19 of ~~the~~ incubation.

Claim 9 (currently amended): The method according to ~~claim 1~~ claim 7, wherein ~~the~~ said fertilized egg is a chicken egg on days 13 to 14 of ~~the~~ incubation.

Claim 10 (currently amended): The method according to any one of claims 7 to 9, wherein ~~the~~ said solution ~~containing~~ comprising amino acids is a mixed solution of amino acids having a composition which is almost the same as the amino acid composition in ~~the~~ said fertilized egg before the start of incubation.

Claim 11 (currently amended): The method according to any one of ~~claims 7 to 10~~ claims 7 to 9, wherein ~~the~~ said solution ~~containing~~ comprising amino acids ~~contains~~ further comprises at least one ingredient selected from the group consisting of an antioxidant, a nutritional supplement other than said amino acids, ~~and/or~~ a vaccine, and mixtures thereof.

Claim 12 (currently amended): A method for increasing the hatchability of a fertilized egg of a bird, comprising injecting, into ~~the~~ said fertilized egg after start of incubation, a solution ~~containing~~ comprising amino acids which determine the nutritive value of proteins in ~~the~~ said fertilized egg.

Claim 13 (currently amended): The method according to claim 12, wherein ~~the~~ said fertilized egg is a chicken egg on days 13 to 19 of ~~the~~ incubation.

Claim 14 (currently amended): The method according to claim 12, wherein ~~the~~ said fertilized egg is a chicken egg on days 13 to 14 of ~~the~~ incubation.

Claim 15 (currently amended): The method according to any one of claims 12 to 14, wherein ~~the~~ said solution ~~containing~~ comprising amino acids is a mixed solution of amino acids having a composition which is almost the same as the amino acid composition in ~~the~~ said fertilized ~~eggs~~ egg before the start of incubation.

Claim 16 (currently amended): The method according to any one of ~~claims 12 to 15~~ claims 12 to 14, wherein ~~the~~ said solution ~~containing~~ comprising amino acids ~~contains~~ further comprises at least one ingredient selected from the group consisting of an antioxidant, a nutritional supplement other than said amino acids, ~~and/or a vaccine, and mixtures thereof.~~

Claim 17 (currently amended): A fertilized egg of a bird after start of incubation, said egg being treated according to the method of any one of ~~claims 1 to 5~~ claims 1 to 3.

Claim 18 (currently amended): A bird hatched from a fertilized egg after start of incubation, said egg being treated in accordance with the method according to any one of ~~claims 1 to 5~~ claims 1 to 3.

Claim 19 (new): A method of preparing a treated fertilized egg, said method comprising injecting, into a fertilized egg after start of incubation, a solution comprising amino acids which determine the nutritive value of proteins in said fertilized egg.

Claim 20 (new): The method according to claim 19, wherein said fertilized egg is a chicken egg on days 13 to 19 of incubation.

Claim 21 (new): The method according to claim 19, wherein said fertilized egg is a chicken egg on days 13 to 14 of incubation.

Claim 22 (new): The method according to any one of claims 19 to 21, wherein said solution comprising amino acids is a mixed solution of amino acids having a composition which is almost the same as the amino acid composition in said fertilized egg before the start of incubation.

Claim 23 (new): The method according to any one of claims 19 to 21, wherein said solution comprising amino acids further comprises at least one ingredient selected from the group consisting of an antioxidant, a nutritional supplement other than said amino acids, a vaccine, and mixtures thereof.

Claim 24 (new): A method of preparing a bird chick, said method comprising hatching a treated fertilized egg, wherein said treated fertilized egg is prepared by a method comprising injecting, into a fertilized egg after start of incubation, a solution comprising amino acids which determine the nutritive value of proteins in said fertilized egg.

Claim 25 (new): The method according to claim 24, wherein said fertilized egg is a chicken egg on days 13 to 19 of incubation.

Claim 26 (new): The method according to claim 24, wherein said fertilized egg is a chicken egg on days 13 to 14 of incubation.

Claim 27 (new): The method according to any one of claims 24 to 26, wherein said solution comprising amino acids is a mixed solution of amino acids having a composition which is almost the same as the amino acid composition in said fertilized egg before the start of incubation.

Claim 28 (new): The method according to any one of claims 24 to 26, wherein said solution comprising amino acids further comprises at least one ingredient selected from the group consisting of an antioxidant, a nutritional supplement other than said amino acids, a vaccine, and mixtures thereof.

SUPPORT FOR THE AMENDMENTS

Applicants have amended Claims 1-18 for clarity and to remove improper multiple dependencies (Claims 5, 6, 11, and 16-18) and correct dependency (Claim 9). Accordingly, support for amended Claims 1-18 can be found in the same claims, as originally filed.

Applicants have also added new Claims 19-28. Support for new Claims 19-28 can be found in originally filed Claims 1-18, respectively.

No new matter has been added. Claims 1-28 are active in this application.

REMARKS/ARGUMENTS

The rejection of Claims 1, 2, 4, 7, 8, 10, 12, 13, and 15 under 35 U.S.C. §102(e) in view of U.S. Patent No. 6,592,878 (Uni et al) and the rejection of Claims 3, 9, and 14 under 35 U.S.C. §103(a) in view of Uni et al are respectfully traversed on the ground that Uni et al may not be properly cited as prior art against the present application. Specifically, Uni et al is based on U.S. provisional application no. 60/222,744, which was filed August 3, 2000. Thus, the earliest 102(e) date to which Uni et al could be entitled is August 3, 2000.

In contrast, the present application is a 371 application of International Application No. PCT/JP00/05114, which was filed on July 28, 2000. Thus, the present application is entitled to a U.S. filing date (July 28, 2000) which is earlier than the earliest U.S. filing date to which Uni et al could possibly be entitled (August 3, 2000). Accordingly, Uni et al is not available as prior art against the present application under 35 U.S.C. §102(e).

For these reasons, the rejection should be withdrawn.

The objection to Claims 5, 6, 11, and 16-18 under 37 C.F.R. §1.75(c) has been obviated by appropriate amendment. As the Examiner will note, Applicants have amended the claims to remove all improper multiple dependencies.

Accordingly, the rejection should be withdrawn.